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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/895,462

06/28/2001

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08/20/2004

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EXAMINER

RAYMOND, EDWARD

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/895,462

Applicant(s)

SLAWECKI ET AL.

Examiner

Edward Raymond

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2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 10, 13-15, 18, 22, 23, 26 and 30 is/are rejected.
- 7) ☒ Claim(s) 4-6, 8, 9, 11, 12, 16, 17, 19-21, 24, 25 and 27-29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. **Claims 2, 5, and 26** objected to because of the following informalities: The phrase "wherein the identify" is unclear. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 1-3, 7, 10, 13, 14, 15, 18, 22, 23, 26, and 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cole, Jr. et al. in view of Ting et al. Cole, Jr. et al. teach a circuit coupled to an integrated circuit on a die that includes: a pulse manipulating circuit to selectively manipulate at least one pulse in a clocking signal (Claims 1, 7, 10, 14, and 22: see col. 3, lines 9-13, col. 7, lines 32-41, and also col. 12,

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lines 47-60), and the manipulate including manipulating a voltage of the at least one pulse (Claims 1, 7, 10, 14, and 22: see col. 12, lines 47-60); wherein the pulse manipulating circuit is to manipulate a frequency of each identified pulse in each clocking signal in response to the transmitted identified at least one pulse in each clock signals (Claims 1, 7, 10, 14, and 22: see col. 12, lines 47-60).

Cole, Jr. et al. teach a circuit wherein the identify "feature" is based on an algorithm (Claims 2, 13, 18, and 26: see col. 7, lines 1-13).

Cole, Jr. et al. teach a circuit that further includes: a clock signal generating circuit to generate each of the clocking signal, that is coupled to the pulse manipulating circuit (Claims 3, 15, 23, and 30: see Figure 2: Trigger from Digital IC Tester. The Examiner notes that the digital tester generates the clocking signal and is equivalent a clock signal generation circuit).

Cole, Jr. et al. teach all of the features of the claimed invention, except an identification circuit coupled to the pulse manipulating circuit to automatically identify an at least one pulse in each of a sequence of clock signals and to transmit the identified at least one pulse to the pulse manipulating circuit. Tsujimoto et al. teach an identification circuit coupled to the pulse manipulating circuit to automatically identify an at least one pulse in each of a sequence of clock signals (Claims 1, 7, 10, 14, and 22: see col. 7, lines 44-57) and to transmit the identified at least one pulse (Claims 1, 7, 10, 14, and 22: see Figure 1: Composite Synchronization Signal Identification Circuit 36 and Vertical Synchronization Signal Parameter Detection Circuit 38). It would have been obvious to the person having ordinary skill in the art at the time the invention was made to modify

Cole, Jr. et al. to use an identification circuit, as taught by Tsujimoto et al., because this would allow for the detection of functional errors arising from timing errors (See Cole, Jr. et al. col. 7, lines 42-48).

***Allowable Subject Matter***

5. **Claims 4-6, 8, 9, 11, 12, 16, 17, 19-21, 24, 25, 27-29** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ting et al. teach a design for testability in very high speed memory. Brooks et al. teach a method for measuring pulse distortion.

***Contact Information***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Raymond whose telephone number is 571-272-2221. The examiner can normally be reached on Monday through alternating Friday between 8:00 AM and 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-2221 for regular communications and 571-272-1562 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

August 16, 2004  
Edward Raymond  
Patent Examiner  
Art Unit 2857

  
**Edward Raymond**  
~~Secretary~~ Patent Examiner